

**31A-30-203 Eligibility for defined contribution arrangement market -- Enrollment.**

- (1)
- (a) An eligible small employer may choose to participate in:
    - (i) the defined contribution arrangement market in the Health Insurance Exchange under this part; or
    - (ii) the traditional defined benefit market under Part 1, Individual and Small Employer Group.
  - (b) A small employer may choose to offer its employees one of the following through the defined contribution arrangement market in the Health Insurance Exchange:
    - (i) a defined contribution arrangement health benefit plan; or
    - (ii) a defined benefit plan.
  - (c) Defined contribution arrangement health benefit plans are employer group health plans individually selected by an employee of an employer.
- (2)
- (a) Participating insurers shall offer to accept all eligible employees of an employer described in Subsection (1), and their dependents, at the same level of benefits as anyone else who has the same health benefit plan in the defined contribution arrangement market on the Health Insurance Exchange.
  - (b) A participating insurer may:
    - (i) request an employer to submit a copy of the employer's quarterly wage list to determine whether the employees for whom coverage is provided or requested are bona fide employees of the employer; and
    - (ii) deny or terminate coverage if the employer refuses to provide documentation requested under Subsection (2)(b)(i).

Amended by Chapter 400, 2011 General Session